



ILLINOIS COMMERCE COMMISSION

December 19, 2013

Verde Energy USA Illinois, LLC :
 :
 : 13-0665
 Application for Certificate of Service :
 Authority under Section 19-110 of the : **SERVED ELECTRONICALLY**
 Public Utilities Act. :

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NOTICE OF ADMINISTRATIVE LAW JUDGE'S RULING

Notice is hereby given by the Administrative Law Judge that the Applicant has until close of business on Thursday, January 3, 2014 to provide information that is additional to what was provided in or attached to its petition. (The Applicant may also file a motion by that time and date seeking leave to withdraw its application for certification without prejudice). The contact person at the Illinois Commerce Commission is Phil Hardas, phardas@icc.illinois.gov.

General Provisions:

[551.30(c)] (83 Ill. Adm. Code 551.30(c). The applicant shall identify the geographic area or geographic areas in which the applicant seeks to be authorized to offer service and the types of services it intends to offer.

The Applicant must clarify the statement in paragraph (9) of its application: "Verde IL is requesting an alternative natural gas supplier license **to serve all customer classes in the State of Illinois.**" The Applicant's statement indicates that it plans to serve customers which include Ameren's residential customers. However, Ameren is currently limited to allow Alternative Gas Suppliers to service only small commercial customers. Applicant should amend this statement to reflect this information. Such amendment should state the following: "**to serve residential, commercial, and industrial customers that Verde IL is allowed to serve in Illinois**"

[551.90(b)] An applicant shall be deemed to possess sufficient technical capabilities to serve customers identified if it has individuals on its staff with demonstrated four years of natural gas sales experience and two years of experience working with the rules and practices established by the North American Energy Standards Board or its successor.

The Applicant must provide a copy of **all** the contracts/agreements, which it uses to meet the technical requirements stated above, between Verde IL, Shell Energy North America (US), L.P., Enhanced Energy Services of America, and EC Infosystems. Further, the Applicant does not state whether it has individuals with two years of experience working with the rules and practices established by the North American Energy Standards Board or its successor. The Applicant must clearly demonstrate facts establishing that the individuals used to meet this requirement have the experience required.

[551.100] An applicant shall be deemed to possess sufficient managerial capabilities to serve customers if it has two or more individuals in management positions with four or more years of demonstrated experience in a management position with enterprise financial and administration responsibilities including profit and loss responsibilities, and four years of natural gas sales experience, and provides the information required in subsections (a) and (b).

The Applicant does not state whether it has two or more individuals in management positions with four or more years of demonstrated experience in a management position with enterprise financial and administration responsibilities including profit and loss responsibilities. The Applicant must clearly state facts establishing that the individuals used to meet this requirement have the experience required, as stated above.

Consumer Issues

[551.100(b)] The applicant shall include in its application an exhibit containing a corporate organizational chart and indicate the position of the persons indicated in subsection (a).

The Applicant did not provide an organizational chart. In order for the Applicant to comply with this law, it must provide a chart listing employees within the Applicant's corporation and any other individuals that the Applicant intends to use to meet the relevant technical and managerial requirements set forth in Code Parts 551.90 and 551.100.

The Applicant shall state whether it has had any formal (litigated) complaints filed against it or against any of its affiliates within the last ten years, in any jurisdiction, including, but not limited to Illinois, alleging fraud, misleading marketing, or similar types of causes of action.

For each, it shall provide the following:

The name of the responding company involved (and the affiliate relationship to the applicant, if it is an affiliate)

The state or federal jurisdiction or regulator agency hearing the complaint;

The date of the complaint and its docket or case number;

The nature of the complaint; the current status of the final resolution;

The applicant's (or the applicable affiliate's) internal process to limit consumer complaints;

The final resolution date.

Financial Qualifications:

[551.80(f)] The applicant maintains a line of credit or revolving credit agreement. The line of credit or revolving credit agreement must be from a financial institution with a long-term obligation rating of A- or higher from Standard & Poor's or its successor, A3 or higher from Moody's Investors Service or its successor, or A- or higher from Fitch Ratings or its successor.

The Applicant failed to provide a line of credit or revolving credit agreement from a financial institution with a long-term obligation rating of A- or higher from Standard & Poor's or its successor, A3 or higher from Moody's Investors Service or its successor, or A- or higher from Fitch Ratings or its successor. The applicant's information does not meet any of the other requirements under Section 551.80.

Sincerely,

Elizabeth A. Rolando
Chief Clerk

EAR:lkb
Administrative Law Judge Sainsot

cc: Brett Seagle, ALJ's Assistant, Illinois Commerce Commission, 527 E. Capitol Avenue, Springfield, IL 62701, bseagle@icc.illinois.gov
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